# UNITED STATES DISTRICT COURT

### for the Southern District of Ohio

In the Matter of the Search	of			
(Briefly describe the property to be se or identify the person by name and a	earched ) ddress) )	Case No.	3:24-mj-00704	
	}			
	s <b>)</b> .			
APPLICATION FOR A WARRA	NT BY TELEPHON	E OR OTHER R	ELIABLE ELECTRO	NIC MEANS
I, a federal law enforcement of penalty of perjury that I have reason to property to be searched and give its location):	believe that on the fol	the government, a lowing person or p	request a search warran property (identify the perso	t and state under on or describe the
Attachment A-6				
located in the Southern person or describe the property to be seized):	District of	Ohio	, there is now conce	aled (identify the
Attachment B-6				
The basis for the search under	Fed. R. Crim. P. 41(c)	is (check one or more	e):	
evidence of a crime;				
contraband, fruits of c	rime, or other items ille	egally possessed;		
property designed for	use, intended for use, o	or used in committ	ing a crime;	
a person to be arrested	d or a person who is unl	awfully restrained	L.	
The search is related to a viola	ation of:			
Code Section 21 USC s. 846	conspiracy to distribut		escription h intent to distribute co	ntrolled substances
The application is based on the	ese facts:			
See Attached Affidavit of Austin	Roseberry			
<b>✓</b> Continued on the attached	sheet.			
Delayed notice of under 18 U.S.C. § 3103a,				) is requested
		Au	estin Roseberry Applicant's signature	-
	s <del></del>		Applicant's signature	
		Aust	in Roseberry, SA of the	DEA
	şa-		Printed name and title	
Attested to by the applicant in accordanamely telephone.	ance with the requireme	ents of Fed. R. Cri	m. P. 4.1 by reliable ele	ectronic means,

Peter B. Silvain, Jr.

United States Magistrate Judg

11/20/24

City and state: Dayton, Ohio

Date:

#### **AFFIDAVIT IN SUPPORT OF APPLICATION**

I, Austin Roseberry, hereby duly sworn, declare and state:

#### **INTRODUCTION**

- 1. I am a Special Agent ("SA") of the Drug Enforcement Administration ("DEA"). I therefore am an officer of the United States who is empowered by law to conduct investigations of, and to make arrests for, offenses enumerated in 21 U.S.C. § 878. Moreover, I am an "investigative law enforcement officer" within the meaning of 18 U.S.C. § 2510.
- 2. I have been employed with the DEA since July 2012. I attended the DEA Academy which consisted of approximately 20 weeks of training in conducting federal drug trafficking investigations, handling confidential sources, conducting undercover operations, conducting mobile, static, foot and electronic surveillance, conducting tactical entry and vehicle arrest operations, defensive tactics, firearms, and additional aspects of conducting DEA lead investigations. I have been assigned to the DEA Dayton Resident Office since May of 2017.
- 3. Since the time of my assignment with the DEA, I have been involved in narcotics-related arrests, executed search warrants that resulted in the seizure of narcotics, and participated in undercover narcotics purchases. Through training and experience, I am familiar with the how persons involved in the illicit distribution of controlled substances often operate. These people usually attempt to conceal their identities, as well as the locations at which they reside, and where they store controlled substances and the illegal proceeds derived.

## PURPOSE OF AFFIDAVIT

4. I make this affidavit in support of an application for search warrants for the
following residences – namely:
a. , including any outbuildings,
garages, sheds, or vehicles located on its curtilage (hereinafter "Subject Location 1"). The
Subject Location 1 is described more fully in Attachment A-1, which is incorporated herein by
reference. I believe that federal fugitive , who is more fully described in Attachment
B-1 can be found there.
b. , including any outbuildings, garages,
sheds, or vehicles located on its curtilage (hereinafter "Subject Location 2"). The Subject
Location 2 is described more fully in Attachment A-2, which is incorporated herein by reference.
I believe that federal fugitive who is more fully described in Attachment B-2 can be
found there.
c. , including any outbuildings, garages,
sheds, or vehicles located on its curtilage (hereinafter "Subject Location 3"). The Subject
Location 3 is described more fully in Attachment A-3, which is incorporated herein by reference.
I believe that federal fugitive , who is more fully described in Attachment B-3 can
be found there.
d. , including any outbuildings, garages,
sheds, or vehicles located on its curtilage (hereinafter "Subject Location 4"). The Subject
Location 4 is described more fully in Attachment A-4, which is incorporated herein by reference.
I believe that federal fugitive , who is more fully described in Attachment B-4 can be

found there.

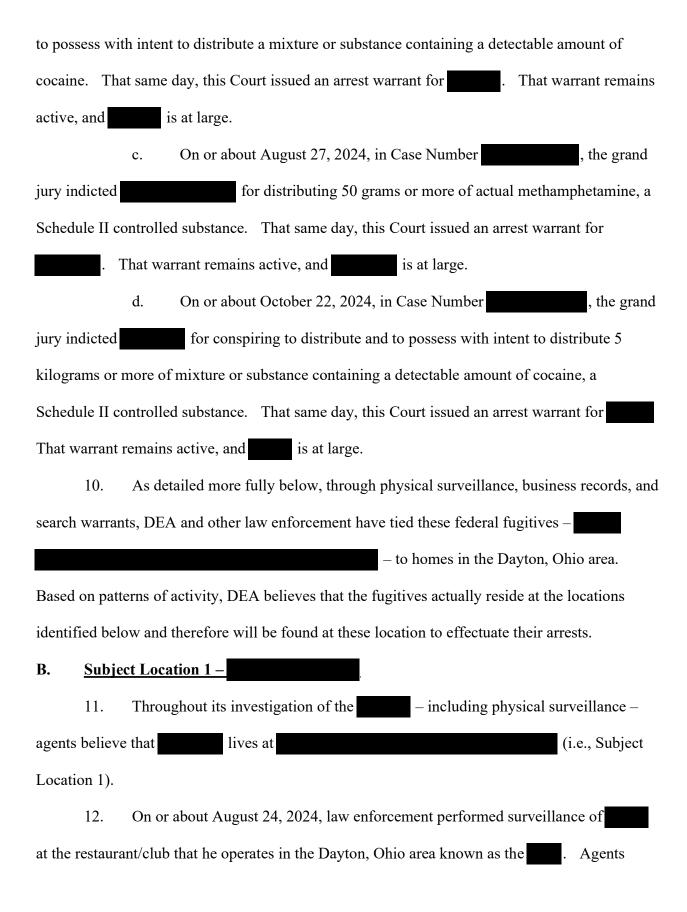
- e. , including any outbuildings, garages, sheds, or vehicles located on its curtilage (hereinafter "Subject Location 6"). The Subject Location 6 is described more fully in Attachment A-6, which is incorporated herein by reference. I believe that federal fugitive \_\_\_\_\_\_\_, who is more fully described in Attachment B-6 can be found there. (collectively, the "Subject Locations").
- 5. As detailed more fully below, I submit that there is probable cause to believe that one or more persons to be arrested on federal arrest warrants exist and can be found at the Subject Locations.
- 6. A list of specific individuals to be seized from the Subject Locations is attached hereto in Attachments B-1 through B-6, which are incorporated herein by reference. Based on my training and experience as well as the facts contained in the affidavit, I believe that there is probable cause to believe that the individuals listed in Attachment B will be found at/in these locations.
- 7. I have not included every detail of the investigation, but only information necessary to establish probable cause to search the properties described above for certain federal fugitives.

#### **PROBABLE CAUSE**

#### A. Introduction

- 8. Since 2019, the DEA has investigated a drug trafficking organization operating in the Dayton, Ohio, area known as the Specifically:
- a. The group which distributes kilograms of fentanyl, methamphetamine, and cocaine derives its name from the

upon joining the organization. Comprised of over two dozen members, the
have an extensive presence on social media, posting images of their "initiation" ceremonies and
membership on various online applications. Additionally, the
hits of rival drug dealers or individuals that the group believes have insulted the organization.
b. Through its investigation, DEA has identified as the leader of
the frequently develops sources of drug supply in Mexico or on the West
Coast from whom he obtains bulk shipments of drugs. He in turn redistributes these controlled
substances to the Dayton, Ohio area through the membership of the
. As detailed more
fully below, law enforcement has identified all of these men –
as members of the
9. During late summer and early fall 2024, a federal grand jury in United States
District Court for the Southern District of Ohio returned indictments against members of the
as detailed below. These members of the remain federal fugitives and have
active federal warrants for their arrest. Specifically:
a. On or about August 27, 2024, in Case Number , the grand
jury indicted on various federal drug charges,
including a conspiracy to distribute and to possess with intent to distribute 500 grams or more of
a mixture or substance containing a detectable amount of methamphetamine, a Schedule II
controlled substance. That same day, this Court issued arrested warrants for
. Those warrants remain active, and all three men are at large.
b. On or about August 27, 2024, in Case Number, the grand
jury indicted on various federal drug charges, including conspiring to distribute and



where he appeared to pick up one or more children. then drove the Ford Edge to Subject Location 1. While agents did not physically see enter the home from their vantage point, they did see the car unoccupied parked in the driveway of Subject Location 1, suggesting that had entered and remained inside of the residence.

- 13. On or about November 14, 2024, agents performed surveillance at Subject

  Location 1 during the early morning hours of that day. Agents observed leaving the residence in the morning, accompanied by children. and the children entered a Dodge Ram and drove from the residence. Given presence at the home during the early morning hours, I believe that he lives at this location.
- 14. On or about November 19, 2024, agents again watched Subject Location 1 beginning in the early morning hours. Around 10:00 a.m., agents observed leave the residence and enter a Jaguar registered in his name. then pulled away from Subject Location 1.
- During this investigation, DEA has identified a woman identified herein by the initials as a longtime girlfriend/significant other. For instance, has posted pictures of herself and together on social media as recently as on or about November 17, 2024. (Notably, in that social post, is wearing is pendant and watch, identifying himself as a member of this organization). A confidential source identified herein as CS1 who has personal knowledge of, and had personal interactions with as his girlfriend. It should be noted that CS1 provided reliable, corroborated information to law enforcement for over one year. DEA deems CS1's information credible. DEA reviewed utility records for Subject Location 1, and they return to since August 2021, further confirming

association with the Subject Location 1. Additionally, during November 2024, agents
have observed a vehicle registered to coming and going from Subject Location 1.
16. In summary, appears to reside at Subject Location 1. Agents have
observed him at this residence on multiple occasions between August 2024 and November 2024.
longtime girlfriend has been associated with this property since 2021. From August
2024 to November 2024, agents have observed at this location cars either registered to or known
to be driven by as well as . Agents observed leaving the residence in the
morning as recently as November 19, 2024. Given the totality of this information, I believe that
resides at the Subject Location 1 and may be found there to effectuate his arrest.
C. <u>Subject Location 2 –</u>
17. Throughout its investigation of the — including physical surveillance —
agents believe that lives at (i.e., Subject
agents believe that lives at lives at Location 2).
Location 2).
Location 2).  18. During July 2023, law enforcement conducted a controlled purchase of
Location 2).  18. During July 2023, law enforcement conducted a controlled purchase of methamphetamine from used a phone number ending in to facilitate
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Location 2).  18. During July 2023, law enforcement conducted a controlled purchase of methamphetamine from used a phone number ending in to facilitate this transaction. Law enforcement obtained a warrant to collect real-time location information from this phone number during in or around July 2023. During the time that this so-called ping
Location 2).  18. During July 2023, law enforcement conducted a controlled purchase of methamphetamine from used a phone number ending in to facilitate this transaction. Law enforcement obtained a warrant to collect real-time location information from this phone number during in or around July 2023. During the time that this so-called ping was active, it generally located the phone overnight at Subject Location 2, indicating that
Location 2).  18. During July 2023, law enforcement conducted a controlled purchase of methamphetamine from used a phone number ending in to facilitate this transaction. Law enforcement obtained a warrant to collect real-time location information from this phone number during in or around July 2023. During the time that this so-called ping was active, it generally located the phone overnight at Subject Location 2, indicating that routinely spent the night there.

arrived at the meet location and

the planned drug transaction. Soon thereafter,

delivered bulk amounts of methamphetamine that had negotiated the sale of via cellular telephone.

- 20. On or about November 14, 2024, agents performed surveillance at Subject Location 2 during the early morning hours of that day. Around 8:45 a.m., agents observed a Chevy Silverado arrive at the residence and pull into the garage of Subject Location 2. Around 9:18 a.m., and a female who appeared to be an individual identified herein as longtime girlfriend) left Subject Location 2. Specifically, backed up the Silverado from the garage of Subject Location 2. and exited the Silverado and then briefly entered Subject Location 2. and then exited Subject Location 2 and returned to the Silverado before driving away.
- 21. On or about November 19, 2024, agents performed surveillance at Subject
  Location 2 during the morning hours of that day. Around 9:00 a.m., surveillance saw
  arrive at Subject Location 2 in a black Jeep Cherokee and park in the driveway.

  then entered Subject Location 2 using a key in his possession.

  did not leave the residence prior to termination of surveillance.
- 22. Throughout this investigation, DEA has learned that is longtime girlfriend. For instance, CS1, who knows is indentified is as his longstanding girlfriend. Public records have tied and to similar residences in the Dayton, Ohio, area since at least 2021. Law enforcement has observed driving at least one vehicle registered to as recently as summer 2024. Notably, listed Subject Location 2 as her home address several times during 2023 when attempting to obtain credit that year. When law enforcement attempted to confirm utilities for Subject Location 2, they returned to an unrelated property management company.

23. In sum, has a longstanding connection to Subject Location 2. Law enforcement has observed him there on multiple occasions since summer 2023. As recently as November 19, 2024, agents observed him and his longtime girlfriend – who is also associated with the residence – leaving that location during morning hours. has a key to Subject Location 2. Based on the totality of the circumstances, I believe that currently lives at Subject Location 2 and may be found there to execute the arrest warrant against him.

#### D. Subject Location 3 –

- 24. Throughout its investigation including physical surveillance –agents believe that lives at (i.e., Subject Location 3). It should be noted that current driver license with the state of Ohio lists Subject Location 3 as his home address.
- 25. On or about September 5, 2024, law enforcement performed surveillance at Subject Location 3 during the early morning hours of that day. Around 10:00 a.m., DEA observed exit Subject Location 3 and throw away a bag of trash. Based on my training and experience, I know that residents of homes typically remove their own trash for pick up. then re-entered Subject Location 3. A short time later, surveillance saw exit the garage in a rental vehicle and drive away. Agents then followed to the parking lot of a nearby restaurant. proceeded to park door to door with another car which based on my training and experience is indicative of a drug transaction. DEA terminated surveillance when it appeared that based on a change in driving patterns had spotted agents.
  - 26. On or about November 13, 2024, agents performed surveillance at Subject

Premises 3 during the early morning hours of that day. Throughout the morning, exited Subject Premises 3 several times, stood in the driveway talking on the phone, and then returned inside Subject Premises 3. Later that morning, law enforcement saw drive from the residence in a rental vehicle.

- 27. On or about November 19, 2024, agents again performed surveillance at Subject Premises 3 during the early morning hours of that day. Shortly before 10:00 a.m., surveillance saw the garage door to Subject Premises 3 open and could be seen wearing a brown sweatsuit. He entered a rental vehicle, pulled from the garage, and drove away.
- longtime girlfriend. Specifically, has previously been under the supervision of probation. His supervising agency advised that was his longstanding girlfriend.

  According to probation, reported that he lived with Law enforcement has learned that the utilities at Subject Location 3 return to as early as April 2023.

  also has used this address to register her vehicle with the state of Ohio. Based on the totality of the circumstances, I believe that currently lives at Subject Location 3 and may be found there to execute the arrest warrant against him.

## E. Subject Location 4 –

- 29. Throughout its investigation including physical surveillance –agents believe that lives at
- 30. During January 2023, while conducting a controlled buy from

  (who is now deceased), law enforcement observed arrive at home prior to the deal. DEA identified as well as the license plate on the vehicle that he drove to home. DEA reviewed a law enforcement database that captured images of

vehicle and found it parked in the vicinity of Subject Location 4. (BMV records reflect that the vehicle was registered to an address in Dayton, Ohio). Given this potential lead, DEA performed surveillance at Subject Location 4 and its surrounding areas during January 2023 and February 2023. Twice during the week of January 22, 2023, agents saw car parked at Subject Residence 4.

- 31. On or about May 23, 2023, at approximately 9:30 a.m., DEA established physical surveillance at Subject Location 4 and observed exit the residence, enter his vehicle and drive away.
- 32. During in or around July 2023, DEA obtained and executed a tracking warrant on vehicle. Based on the data collected from that warrant during summer 2023, started and ended most days at Subject Location 4, indicating that he lived at this location.
- 33. On or about April 28, 2024, at approximately 9:00 a.m., DEA established physical surveillance at Subject Location 4 observing vehicle parked in the driveway. At approximately 12:30 p.m., surveillance observed exit the residence, enter his vehicle, and drive away. Surveillance followed who travelled to the , where he met with On this day, law enforcement also saw a person identified herein as leave Subject Location 4 with Through this investigation, I know that is longtime girlfriend. As recently as September 2024, during a recorded jail call with an inmate, referenced as such.
- 34. Between April 2024 and November 2024, law enforcement performed numerous spot checks at Subject Location 4. On at least ten occasions during that time, law enforcement saw vehicle parked at Subject Location 4.
  - 35. On or about November 19, 2024, law enforcement performed surveillance at

W

Subject Location 4. When they arrived at the location in the morning, which was parked at the house. In the early afternoon, agents briefly broke off surveillance at the house to follow another vehicle but returned to Subject Location 4 roughly an hour later. When officers returned to Subject Location 4, which was gone. Officers remained at this location and soon saw arrive at Subject Location 4 in his vehicle; he parked the vehicle, used a key to enter the front door of Subject Location 4 and went inside of the house.

36. In sum, lives at Subject Location 4. Since early 2023, law enforcement has found either or his vehicle there. As noted above, during summer 2023, location information revealed that vehicle (and thus likely him as well) stayed at this location overnight. Agents saw at the home as recently as yesterday. Given that he had a key to the residence and has been a longtime presence there, I believe that currently lives at Subject Location 4 and may be found there to execute the arrest warrant against him.

### F. Subject Location 6 –

- 37. Throughout its investigation including physical surveillance –agents believe that lives at
- 38. During fall 2024, law enforcement identified an Instagram account that belonged to in the name of Through its investigation, DEA knows that uses the alias or nickname of Additionally, an individual identified herein as CS-2 advised law enforcement that this account belongs to CS-2 has provided information to law enforcement in the past and has proven to be reliable. The name on the account as well as picture associated with it corroborates CS-2's statements. Given this information, I believe that this Instagram account belongs to

- Subject Location 6. For instance, on November 18, 2024, law enforcement established surveillance at this location in the early morning. Around noon, a silver Lexus arrived at the Subject Location 6, a woman exited the car, and entered the home. A short time later, surveillance captured leave Subject Location 6, go to the trunk of the Lexis and remove shoes from it, and then return back to Subject Location 6. Soon thereafter, again exited Subject Location 6 and stood in its driveway talking on the phone. He soon entered the Lexus and left.
- 42. On or about November 19, 2024, law enforcement observed who was driving the Lexis arrive at Subject Location 6 shortly before 1:00 a.m. in the morning.

exited his car and approached the front door of Subject Location 6. Because the door is recessed, agents did not physically observe enter the home. At approximately 7:47 a.m., exited Subject Location 6, entered the Lexus, and drove away.

43. In sum, I believe that resides at Subject Location 6. For the last month, his Instragram account has been accessed on almost a daily basis from an IP address assigned to this residence. Many of these accesses occur during overnight hours, indicative of the individual sleeping at (and thus living at) the residence. Confirming his presence at the house, surveillance has captured at Subject Location 6 on November 18 and November 19, 2024 at times indicative of him spending the night at this location. Given the totality of this information, I believe that currently lives at Subject Location 6 and may be found there to execute the arrest warrant against him.

#### **CONCLUSION**

44. Based on the facts set forth in the Affidavit, I believe there is probable cause to search the Subject Locations for the named federal fugitives as detailed in Attachments A-1 through A-6, and B-1 through B-6.

Austin Roseberry

Special Agent

Drug Enforcement Administration

Austin Roseberry

Sworn and subscribed before me on this 20th day of November 2024.

Peter B. Silvain, Jr. United States Magistrate

<sup>1</sup> It should be noted that there are no Attachments A-5 and B-5.

The place to be searched is

("Subject Location 1") including any outbuildings, garages and/or sheds on the curtilage.

Subject Location 1 is a two story single family residence with a red-brick front, tan siding on the sides, a grey shingled roof and an attached garage. The numbers are displayed directly to the right of the garage door in a stone inlay and on the mailbox in the front yard. Subject Location 1 is located on the north side of with the front door of the residence facing south. Subject Location 1 is further depicted in the following photograph.



The place to be searched is including any outbuildings, garages and/or sheds on the curtilage. Subject Location 2 is a two story single family residence with white and grey siding, a grey shingled roof and an attached garage. The numbers are displayed on the mailbox in the front yard. Subject Location 1 is located on the east side of with the front door of the residence facing west. Subject Location 2 is further depicted in the following photograph.





The place to be searched is

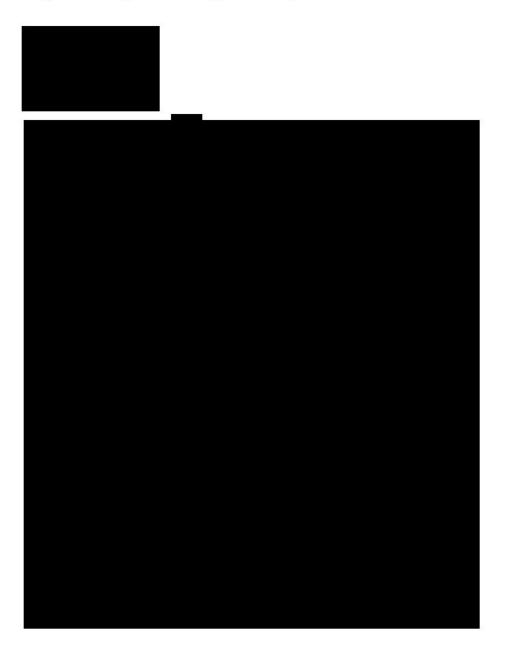
("Subject Location 3") including any outbuildings, garages and/or sheds on the curtilage.

Subject Location 3 is a single-story single family residence with a red-brick front with white doors, black shutters, a grey shingled roof and an attached garage. The numbers are displayed directly to the right of the front door in black letters. Subject Location 3 is located on the northwest side of with the front door of the residence facing southeast. Subject Location 3 is further depicted in the following photograph.



The place to be searched is including any outbuildings, garages and/or sheds on the curtilage. Subject Location 4 is a single-story single family residence with a tan-brick front with white doors, blue shutters, a brown shingled roof and an attached garage. The numbers are displayed directly to the left of the garage door in white letters. Subject Location 4 is located on the west side of with the front door of the residence facing east. Subject Location 4 is further depicted in the following photograph.





The place to be searched is including any outbuildings, garages and/or sheds on the curtilage. Subject Location 6 is a two-story condominium with a tan-brick and brown siding front with tan shutters, a dark-colored shingled roof and an attached garage. The numbers are displayed directly above the garage door. Subject Location 6 is located on the south side of with the front door of the residence facing north. Subject Location 6 is further depicted in the following photograph.

